

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ANDREA CALLEGATI,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 2:15-cv-00669 JLR JRC

ORDER TO SHOW CAUSE WHY
THIS MATTER SHOULD NOT BE
DISMISSED

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

This matter has been referred to United States Magistrate Judge J. Richard Creature pursuant to 28 U.S.C. § 636(b)(1) and Local Magistrate Judge Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261, 271-72 (1976).

Pursuant to this Court's Order, plaintiff's opening brief was due on August 11, 2016 (*see* Dkt. 12). Plaintiff has failed to file his opening brief and has not requested an extension to do so.

Plaintiff must show cause by **October 21, 2016** why this matter should not be dismissed for lack of prosecution.

DISCUSSION

Fed. R. Civ. P. 4(m) requires the court to provide notice to plaintiff before the matter may be dismissed for lack of prosecution.

1 The Court also notes that because plaintiff is proceeding *Pro Se*, the Court, in the Order
2 Denying Motion for Court Appointed Counsel, directed plaintiff to information on the Court's
3 website, such as the *Pro Se* Guide, which, as indicated in the Order, "includes resources for
4 potentially finding an attorney or obtaining legal advice: <http://www.wawd.uscourts.gov/pro-se>
5 (last visited July 22, 2016)" (see Dkt. 14, p. 3 (citing "Where Can You Get Legal Advice?"
6 located at *Pro Se* Guide, p. 38,
7 <http://www.wawd.uscourts.gov/sites/wawd/files/ProSeGuidetoFilingYourLawsuitinFederalCourt.pdf>)).

9 **CONCLUSION**

10 The Court hereby orders plaintiff to show cause by **October 21, 2016** why this matter
11 should not be dismissed for lack of prosecution. Failure to show cause shall result in a Report
12 and Recommendation to dismiss this action.

13 Dated this 5th day of October, 2016



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15 J. Richard Creatura
16 United States Magistrate Judge
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